

**A RESOLUTION BY
CITY UTILITIES COMMITTEE**

A RESOLUTION TO CORRECT RESOLUTION NUMBER 09R0941 ADOPTED BY THE CITY COUNCIL ON JUNE 1, 2009 AND APPROVED BY THE MAYOR ON JUNE 9, 2009 BY DELETING INCORRECT LANGUAGE OF "TIME-ONLY" AND INSERTING IN LIEU THEREOF NINE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$9,500,000.00); AND FOR OTHER PURPOSES.

WHEREAS, Resolution 09R0941 (the "Legislation") was adopted on by the Atlanta City Council on June 1, 2009 and approved by the Mayor on June 9, 2009; and

WHEREAS, the Legislation incorrectly indicated that the contract is for time-only; and

WHEREAS, it is the desire of the Department of Watershed Management that Resolution 09R0941 display the correct amount indicated in the caption of Nine Million Five Hundred Thousand Dollars and No Cents (\$9,500,000.00) .

THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES, that the Resolution 09R0941 be corrected by deleting the words "time-only" and replacing it with (\$9,500,000.00) wherever it appears in the Legislation.

BE IT FINALLY RESOLVED, that all resolutions and parts of resolutions in conflict herewith be and are hereby waived to the extent of the conflict.

(c) Bids/Proposals Due:

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center (*Ex. Name and number*):

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant*

6. Fiscal Impact: \$9,500,000.00

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery:

Examples:

- a. Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Maisha L. Wood



**RESOLUTION
BY CITY UTILITIES COMMITTEE**

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO RENEWAL AGREEMENT NO. 2 WITH STEWART BROTHERS, INC., FOR FC-3006007977, ANNUAL CONTRACT FOR ASPHALTIC CONCRETE PAVEMENT MILLING AND RESURFACING, ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT, IN AN AMOUNT NOT TO EXCEED NINE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$9,500,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM PROJECT AWARD TASK EXPENSE AND ORGANIZATION 17102445.505821445.101.5414002 AND FUND DEPARTMENT ORGANIZATION AND ACCOUNT NUMBER 5058 (2004 WATER & WASTEWATER BOND FUND) 170215 (DWM WASTEWATER SEWER REPAIR) 5414002 (FACILITIES NOT BUILDINGS-CIP) 4333000 (NEW SEWER SERVICES) 102445 (SEWER GROUP 2 REHABILITATION); AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City") entered into an agreement with Stewart Brothers, Inc., for FC-3006007977, Annual Contract for Asphaltic Concrete Pavement Milling and Resurfacing on July 19, 2007; and

WHEREAS, the original term of the agreement was for one (1) year with two (2) one (1) year renewal options at the City's sole discretion; and

WHEREAS, the City did enter into Renewal Agreement No. 1 with a term of July 19, 2008 to July 18, 2009, pursuant to Resolution 07R0568; and


WHEREAS, Stewart Brothers, Inc. has performed the contracted services to the satisfaction to the Department of Watershed Management and the City; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer have recommended Renewal Agreement No. 2 with Stewart Brothers, Inc., for FC-3006007977 for time-only.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor is authorized to enter Renewal Agreement No. 2 with Stewart Brothers, Inc., for FC-3006007977, Annual Contract for Asphaltic Concrete Pavement Milling and Resurfacing, on behalf of the Department of Watershed Management for time-only.

BE IT FURTHER RESOLVED, that the term of Renewal Agreement No. 2 will be from July 19, 2009 to July 18, 2010.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to prepare an appropriate Agreement for execution by the Mayor.



BE IT FURTHER RESOLVED, that the Agreement will not become binding on the City, and the City will incur no obligation or liability under it until it has been approved as to form by the City Attorney, executed by the Mayor, attested to by the Municipal Clerk, and delivered to Stewart Brothers, Inc.

BE IT FURTHER RESOLVED, that the funding of the Agreement shall be subject to and expressly contingent upon the City's adoption and approval of the FY 2010 budget and the appropriation of sufficient funds to the associated funding sources.

BE IT FINALLY RESOLVED, that all contracted work shall be charged to and paid from Project Award Task Expense and Organization 17102445.505821445.101.5414002 and Fund Department Organization and Account Number 5058 (2004 Water & Wastewater Bond Fund) 170215 (DWM Wastewater Sewer Repair) 5414002 (Facilities Not Buildings-CIP) 4333000 (New Sewer Services) 102445 (Sewer Group 2 Rehabilitation).

A true copy,

Rhonda Daughin Johnson
Municipal Clerk

ADOPTED by the Atlanta City Council
APPROVED by Mayor Shirley Franklin

JUN 01, 2009
JUN 09, 2009

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ City Utilities _____

Chief of Staff Deadline: _____ August 18, 2009 _____

Anticipated Committee Meeting Date(s): _____ September 1, 2009 _____

Anticipated Full Council Date: _____ September 8, 2009 _____

Legislative Counsel's Signature: _____ *Theresa Hunt* _____

Commissioner Signature: _____ *Robert J. Denton* ^{sr} _____

Chief Procurement Officer Signature: _____ *N/A* _____

CAPTION

A RESOLUTION TO CORRECT RESOLUTION NUMBER 09R0941 ADOPTED BY THE CITY COUNCIL ON JUNE 1, 2009 AND APPROVED BY THE MAYOR ON JUNE 9, 2009 BY DELETING INCORRECT LANGUAGE OF "TIME-ONLY" AND INSERTING IN LIEU THEREOF NINE MILLION FIVE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$9,500,000.00); AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): \$9,500,000

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) *8/18/09* (date)

Received by Mayor's Office: _____ Reviewed by: _____
(date) *[Signature]* (date) *[Signature]*

Submitted to Council: _____ (date)